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Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime
Sixth session
Vienna, 6-17 December 1999

Annotated provisional agenda and proposed organization of work

Provisional agenda

1. Opening of the sixth session of the Ad Hoc Committee.
2. Adoption of the agenda and organization of work.
3. Consideration of the additional international legal instruments:
   (a) Draft instrument against illegal trafficking in and transporting of migrants, with particular emphasis on articles 7-19;
   (b) Draft instrument against trafficking in persons, especially women and children, with particular emphasis on articles 8-18.
4. Consideration of the revised draft United Nations Convention against Transnational Organized Crime, with particular emphasis on articles 4 *ter*, 17 *bis* and 20-30.
5. Adoption of the report of the Ad Hoc Committee on its sixth session.

Annotations

1. Opening of the sixth session of the Ad Hoc Committee

The sixth session of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime will be convened on Monday, 6 December 1999, at 10 a.m.

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2. Adoption of the agenda and organization of work

The Ad Hoc Committee at its fifth session, held in Vienna from 4 to 15 October 1999, approved the provisional agenda and proposed organization of work for its sixth session (A/AC.254/L.85/Add.1). The Ad Hoc Committee decided that at its sixth session it would devote two days to the consideration of the draft instrument against illegal trafficking in and transporting of migrants, with particular emphasis on articles 7-19, and three days to the consideration of the draft instrument against trafficking in persons, especially women and children, with particular emphasis on articles 8-18.

The Ad Hoc Committee also decided that at its sixth session it would focus on certain articles of the revised draft United Nations Convention against Transnational Organized Crime, namely articles 4 *ter*, 17 *bis* and 20-30, dealing with measures against corruption, bribery of witnesses and intimidation of witnesses and officials, collection and exchange of information on organized crime, training and technical assistance, prevention at the national and international levels, mechanism for monitoring the implementation of the Convention and final provisions.

The resources available to the Ad Hoc Committee at its sixth session will permit the holding of two plenary meetings per day with simultaneous interpretation in the six official languages of the United Nations.

The proposed organization of work contained in the annex to the present document provides more details on the meetings to be held in plenary at the sixth session of the Ad Hoc Committee.

3. Consideration of the additional international legal instruments

(a) Draft instrument against illegal trafficking in and transporting of migrants, with particular emphasis on articles 7-19

(b) Draft instrument against trafficking in persons, especially women and children, with particular emphasis on articles 8-18

The General Assembly, in its resolution 53/111 of 9 December 1998, decided to establish an ad hoc committee for the purpose of, *inter alia*, discussing the elaboration, as appropriate, of international instruments addressing trafficking in women and children, combating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and illegal trafficking in and transporting of migrants, including by sea. In the same resolution, the Assembly requested the Ad Hoc Committee, in carrying out that work, to take into account, *inter alia*, Economic and Social Council resolutions 1998/18, 1998/19 and 1998/20 of 28 July 1998.

The General Assembly, in its resolution 53/114 of 9 December 1998, called upon the Ad Hoc Committee to devote attention to the drafting of the main text of the convention against transnational organized crime, as well as, as appropriate, of international instruments addressing trafficking in women and children, combating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and illegal trafficking in and transporting of migrants, including by sea.

At its first session, the Ad Hoc Committee carried out a first reading of the draft instrument against illegal trafficking in and transporting of migrants. At its fourth session, the Ad Hoc Committee began the second reading of that draft instrument. At its second and

fourth sessions, the Ad Hoc Committee carried out a first reading of articles 1-7 of the draft instrument against trafficking in persons, especially women and children. At the informal consultations held at its fifth session, the Ad Hoc Committee discussed several aspects of the above-mentioned draft instruments. The proposals and comments of delegations, as well as the observations made during the informal consultations held at the fifth session of the Ad Hoc Committee, will be incorporated into revised versions of those draft instruments (the revised draft Protocol against the Smuggling of Migrants by Land, Air and Sea, Supplementing the United Nations Convention against Transnational Organized Crime (A/AC.254/4/Add.1/Rev.3) and the revised draft Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime (A/AC.254/4/Add.3/Rev.4)), which will form the basis for further work by the Ad Hoc Committee at its sixth session.

Documentation

Revised draft Protocol against the Smuggling of Migrants by Land, Air and Sea, Supplementing to the United Nations Convention against Transnational Organized Crime (A/AC.254/4/Add.1/Rev.3)

Revised draft Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime (A/AC.254/4/Add.3/Rev.4)

Background documents

Inter-American Convention on International Traffic in Minors (A/AC.254/CRP.2)

International Maritime Organization circular on interim measures for combating unsafe practices associated with the trafficking or transport of migrants by sea (A/AC.254/CRP.3)

4. Consideration of the revised draft United Nations Convention against Transnational Organized Crime, with particular emphasis on articles 4 *ter*, 17 *bis* and 20-30

At its first session, the Ad Hoc Committee concluded a first reading of articles 1-23 of the draft Convention (as contained in document A/AC.254/4). At its second session, the Ad Hoc Committee began a second reading of the draft Convention by considering articles 1-3, dealing with the objectives, the scope of application and definitions. The Ad Hoc Committee also completed a first reading of articles 24-30 of the draft Convention. At its third session, the Ad Hoc Committee carried out a first reading of articles 4, 4 *bis*, 7 and 8 of the draft Convention. At its fourth session, the Ad Hoc Committee carried out a first reading of articles 4 *ter* and 17 *bis* and concluded a second reading of articles 5, 6, 9 and 14 (paragraphs 1-13). At its fifth session, the Ad Hoc Committee concluded a second reading of articles 4, 4 *bis*, 7, 7 *bis*, 7 *ter*, 10, 14 (paragraphs 14-22), 15-17 and 18-19.

Also at its fifth session, the Ad Hoc Committee decided that at its sixth session it would proceed with a second reading of articles 4 *ter*, 17 *bis* and 20-30 of the draft Convention. That decision was made on the understanding that, should the Ad Hoc Committee complete the consideration of those articles with time remaining at its sixth session, it would proceed to the negotiation of as many other articles of the draft Convention as possible. In view of that decision and in the event of early conclusion of the negotiation of articles 4 *ter*, 17 *bis* and 20-30 of the draft Convention, the Ad Hoc Committee may wish to proceed with the negotiation of articles 1-3 and subsequent articles.

Informal consultations

The Ad Hoc Committee, at its fourth session, decided that in future informal consultation meetings should be organized in order to facilitate the implementation of its mandate. The holding of those meetings would depend on the availability of extrabudgetary resources and would meet the following conditions: (a) the informal consultations would be conducted strictly in accordance with the decisions of the General Assembly; (b) provision would be made for interpretation in all official languages of the United Nations; (c) the documentation and agenda for the informal consultations would be made available well in advance of the meetings, and sufficient advance notice of the time and place of the meetings would be provided; (d) the informal consultations would be an open-ended and transparent mechanism to assist the Ad Hoc Committee, which would remain the only decision-making body, by making recommendations; (e) the informal consultations would be held only as parallel in-session meetings and their subjects would not overlap those being considered by the Ad Hoc Committee in plenary; (f) no more than two meetings, including the plenary, would be held at the same time during the sessions of the Ad Hoc Committee; and (g) the informal consultations could be assigned, *inter alia*, to translate into appropriate language the agreements reached in plenary or any other function determined by the Chairman of the Ad Hoc Committee.

The resources available to the Ad Hoc Committee at its fifth session permitted the holding of eight parallel meetings of informal consultations with simultaneous interpretation in the six official languages of the United Nations during the first week of that session. Those informal consultations were devoted to consideration of the revised draft Protocol against the Smuggling of Migrants by Land, Air and Sea and the revised draft Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children.

The resources available to the Ad Hoc Committee at its sixth session will permit the holding of eight parallel meetings of informal consultations from Tuesday, 7 December, to Friday, 10 December 1999. At its fifth session, the Ad Hoc Committee decided that the informal consultations at its sixth session should focus on the common provisions of the draft Convention and its draft protocols and on articles 4 *ter* and 17 *bis* of the draft Convention.

The proposed organization of work of the informal consultations at the sixth session of the Ad Hoc Committee is contained in the annex to the present document.

Documentation

Revised draft United Nations Convention against Transnational Organized Crime (A/AC.254/4/Rev.5)

Proposals and contributions received from Governments (A/AC.254/5/Add.14)

Note by the Secretariat on the common provisions of the revised draft United Nations Convention against Transnational Organized Crime and its revised draft protocols (A/AC.254/21)

5. Adoption of the report of the Ad Hoc Committee on its sixth session

The Ad Hoc Committee is to adopt a report on its sixth session, the draft of which will be prepared by the Rapporteur.

Annex

Proposed organization of work of the sixth session of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime, to be held in Vienna from 6 to 17 December 1999

Proposed organization of work of the plenary and informal consultations

Date	*Time*	*Item*	*Plenary*
Monday, 6 December	10 a.m.-1 p.m.	1	Opening of the sixth session of the Ad Hoc Committee
		2	Adoption of the agenda and organization of work
		3 (a)	Consideration of the draft instrument against illegal trafficking in and transporting of migrants, with particular emphasis on articles 7-19
	3-6 p.m.	3 (a)	Continuation of the discussion
Tuesday, 7 December	10 a.m.-1 p.m. and 3-6 p.m.	3 (a)	Continuation and conclusion of the discussion
Wednesday, 8 December	10 a.m.-1 p.m. and 3-6 p.m.	3 (b)	Consideration of the draft instrument against trafficking in persons, especially women and children, with particular emphasis on articles 8-18
Thursday, 9 December	10 a.m.-1 p.m and 3-6 p.m.	3 (b)	Continuation of the discussion
Friday, 10 December	10 a.m.-1 p.m. and 3-6 p.m.	3 (b)	Continuation and conclusion of the discussion
Monday, 13 December	10 a.m.-1 p.m and 3-6 p.m.	4	Consideration of the revised draft United Nations Convention against Transnational Organized Crime, with particular emphasis on articles 4 *ter*, 17 *bis* and 20-30

Date	*Time*	*Item*	*Plenary*
Tuesday, 14 December-Friday, 17 December	10 a.m.-1 p.m and 3-6 p.m.	4	Continuation and conclusion of the discussion
		5	Consideration and adoption of the report of the Ad Hoc Committee on its sixth session

Date	*Time*	*Informal consultations*
Tuesday, 7 December-Friday, 10 December	10 a.m.-1 p.m. and 3-6 p.m.	Consideration of the revised draft United Nations Convention against Transnational Organized Crime, with particular emphasis on the common provisions of the draft Convention and its draft protocols and on articles 4 *ter* and 17 *bis* of the draft Convention